

**THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
CRIMINAL CASE NO. 1:11-cr-00010-MR-DLH**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JAMES W. "BILL" BAILEY, JR.,

Defendant.

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ORDER

THIS MATTER is before the Court on the Government's Motion to Dismiss Property [Doc. 737]. The Government requests dismissal of the following property from both the Consent Order and Judgment of Forfeiture [Doc. 16] and final Order [Doc. 604]:

The real property at Lot 53, Bayside, Grainger County, Tennessee, more particularly described as Parcel Number 02-032G-A-032B-05300-00, in the Grainger County Register of Deeds (hereafter, "Lot 53").

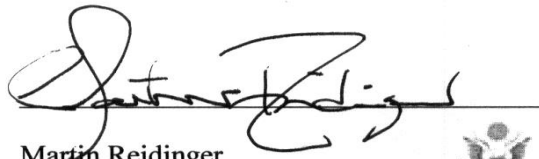
As grounds for dismissal, the Government advises that, upon review of title records and discussion with an individual who holds title to the property, Lot

53 should not have been forfeited herein. For good cause shown, the Court will grant the Government's Motion.

IT IS, THEREFORE, ORDERED that the Government's Motion [Doc. 737] is **GRANTED** and the property identified herein as Lot 53 is hereby **DISMISSED** from any and all orders in this case, including but not limited to the Consent Order and Judgment of Forfeiture [Doc. 16], the final Order of Forfeiture [Doc. 604], and any written or oral orders of forfeiture at sentencing of this matter. Further, so as to clarify that Lot 53 is not forfeited herein, the Government is authorized and ordered to file this Order in any Grainger County Register of Deeds or Clerk of Court office wherein any documents in this action as to Lot 53 were previously filed by the Government.

IT IS SO ORDERED.

Signed: March 15, 2014


Martin Reidinger
United States District Judge

